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2000 Command

This section will only provide information specific to the COTP Wilmington zone. Refer to Appendix [9750 Field Operations Guide](#) for specific information on all duties and positions and [9700 Response Resource](#) for ICS forms.

2100 Unified Command - Command Structure

The National Contingency Plan (NCP) states that the basic format for the response management system is a structure that brings together federal and state, and the responsible party, to achieve an effective and efficient response. This structure is commonly referred to as the Unified Command (UC). It should be noted that in this structure the FOSC retains ultimate authority in a response operation for decisions relating to it. The Unified Command will direct the tactical and strategic response to an oil spill with a unified position to ensure clear direction to the responsible party and efficient utilization of resources. OPA 90 reinforces the ultimate responsibility of the FOSC for directing oil spill response including response objectives and strategies. However, the FOSC will exert his/her own authority independent of the UC only if other members are not present or are unable to reach consensus within a reasonable time frame.

The Unified Command is responsible for overall management of the incident. They direct incident activities including the development and implementation of strategic decision, and approve the order and release of resources. The Unified Command for MSO Wilmington COTP area of responsibility will consist of the U.S. Coast Guard, NC Division of Emergency Management, the NCSOSC, a local emergency management representative and the responsible party.

In addition, the Command Staff includes a Safety, Information and Liaison Officer, which are discussed in Sections 2300, 2400, 2500, respectively. The Unified Command oversees and delegates responsibilities to four functional units: Operations, Planning, Logistics and Finance/ Administration Sections; these are further detailed in sections 3000-6000 of this plan.

2200 Command Staff Elements

2210 Federal Representative

The National Contingency Plan, 40 CFR 300, requires Federal On-Scene Coordinators (FOSCs) to direct response efforts and coordinate all other actions at the scene of a spill or release. The FOSC is the pre-designated Federal official responsible for ensuring immediate and effective response to a discharge or threatened discharge of oil or a hazardous substance. The U.S. Coast Guard designates FOSCs for the U.S. inland zones. The first federal official, affiliated with an NRT member agency, to arrive at the NCP. That official is authorized to initiate, in consultation with the FOSC, any necessary actions normally carried out by the FOSC until the arrival of the pre-designated FOSC. This official may initiate federally fund-financed actions only as authorized by the FOSC.

The FOSC shall, to the extent practicable, and as soon as possible after the incident occurs, collect pertinent facts about the discharge, such as its source and cause. Including:

- Identify responsible parties, the nature, amount, and location of discharged materials along with predicting the trajectory of discharged materials.
- Determine whether the discharge is a worst-case discharge, the pathways to human and environmental exposure, the potential impact on human health, welfare, safety and the environment and whether the discharge poses a substantial threat to the public health or welfare.
- Identify the potential impact on natural resources and property, and discuss priorities for protecting human health, welfare and the environment.
- Ensure appropriate resource documentation.
- Ensure that the trustees for natural resources are promptly notified of discharges.
- Coordinate all response activities with the affected natural resource trustees.
- Consult with the affected trustees on the appropriate removal action to be taken.
- If aware that a discharge may affect any endangered or threatened species, or their habitat, then consult with the appropriate natural resource trustee.

2220 State Representative

The State Incident Commander is responsible to ensure all pertinent resource, cultural, archaeological, environmental and economic issues are discussed and decisions within the UC are based on sound state specific information. This individual must be able to make decisions with minimal internal agency consultation.

2230 Local Representative

The local emergency preparedness agency is typically a county response organization, most often affiliated with other emergency services such as the fire and police departments. Since the incident is affecting, or could potentially affect, the surrounding neighborhoods, local involvement is essential. The local representative should address local issues, as well as availability of local resources, as early as possible.

2240 Responsible Party (RP) Representative

Under the FWPCA and OPA 90, the responsible party has primary responsibility for cleanup of discharge. Section 4201(a) of OPA 90 states that an owner or operator of a tank vessel or facility participating in removal efforts shall act in accordance with the NCP and the applicable response plans as required. Section 4202 of OPA 90 states that these response plans shall be consistent with the requirements of the NCP and ACPs. Each owner or operator of a tank vessel or facility required by OPA 90 to submit a response plan shall do so in accordance with applicable regulations. Facility and tank vessel response plan regulations, including plan requirements, are located in 33 CFR Parts 154 and 155, respectively.

As defined in OPA 90, each responsible party for a vessel or a facility from which oil is discharged, or which poses a substantial threat of a discharge, into or upon the navigable waters or adjoining shorelines or the Exclusive Economic Zone, is liable for the removal costs and damages specified in Subsection (b) of Section 1002 of OPA 90. Any removal activity undertaken by a responsible party must be consistent with the provisions of the NCP, the Regional Contingency Plan (RCP), the ACP, and the applicable response plan required by OPA 90. Each responsible party for a vessel or facility from which a hazardous substance is released, or which poses a substantial threat of a discharge, is liable for removal costs as specified in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) (42 U.S.C. 9601 et seq.).

2300 Safety

The Safety Officer (SO) is responsible for monitoring and assessing hazardous and unsafe situations, and developing measures for assuring personnel safety. The SO will correct unsafe acts or conditions through the regular line of authority, although the SO may exercise emergency authority to stop or prevent unsafe acts when immediate action is required. The SO maintains awareness of active and developing situations, ensures the preparation and implementation of the Site Safety Plan and all safety messages with the IAP. Refer to Appendices [9750 FOG](#), [9700 Response Resources](#) and [9300 Draft IAP](#) for additional information and an IAP template.

MSO Wilmington maintains a conservative response posture when responding to hazardous substance releases. MSO Wilmington personnel maintain Level D protection that consists of cloth coveralls, steel toe/shank boots, hardhat, and safety glasses (see Attachment 6 to the Sample Sit Safety and Health Plan in Section 9000). This means that FOSC functions will be carried out without unit personnel making entry into hazardous environments. In situations requiring entry into hazardous environments, MSO Wilmington will rely upon the capabilities of the Strike Team, state and local response teams, and commercial resources.

In oil spill responses where Occupational Safety and Health Administration (OSHA) regulations apply, the FOSC must ensure that paragraphs (b) through (o) of 29 CFR 1910.120 are met. Of most concern are the training requirements for CG personnel. Coast Guard personnel assigned to an MSO and routinely involved in pollution response should complete a 40 hour course meeting with OSHA training in paragraph (e) of 29 CFR 1910.120. Training records should reflect that OSHA requirements have been satisfied.

Contractors are responsible for certifying the training of their employees. OSHA has recognized the need to remove oil from the environment and has empowered the OSHA representative to the RRT to reduce the training emergency response operations. An example of a post emergency response effort is shoreline cleanup operations. The reduced training applies to all Coast Guard personnel and to the private sector. This information may be found in OSHA Instruction CPL 2-2.51.

The level of training required depends on the potential for exposure. Workers required to use respirators must have 40 hours of off-site training. The OSHA field compliance officer should be contacted to ascertain the worker training requirements and develop an implementation plan to minimize the hazards of exposure to workers involved in cleanup operations. Training requirements may vary from state to state. State requirements, which are more restrictive, will preempt Federal requirements. The FOSC should establish contact with the state OSHA representative, where applicable, to determine the state training requirement for oil discharge response.

OSHA's Hazardous Waste Operation (HAZZWOPER) Standard set basic requirements for training of personnel. These requirements are dependent on the operations (general/routine operations, emergency response operation, or post-emergency response operations); on the individual's duties (e.g. first responders, general site workers, supervisors, special short term operation, technicians, etc.); and on the degree of exposure (e.g., minimal exposure, unknown exposures, etc.). Requirements change as operations progress from emergency phase (first responders) to post-emergency phase (cleanup phases). At the same time, the risk of exposure changes as high vapor pressure products (used in the cleanup) pose a potential inhalation hazard. Hazards become better characterized based on more complete information.

2310 General Requirements for EMERGENCY PHASE Response Operations

2310.1 LEVEL 1—First Responder (AWARENESS)

(1) First responders at this level are personnel that might discover a release and who are simply expected to report the incident.

(2) Sufficient training, or proven experience in specific competencies is required.

NOTE: For USCG personnel this level is generally met by USCG entry-level resident training, in marine safety.

2310.2 LEVEL 2— First Responder (OPERATIONS)

(1) First responders at this level are personnel who respond to a release in a DEFENSIVE manner and generally without being exposed to risk (e.g., does not include attempting to stop a leak).

(2) Level 1 competency plus 8 hours of additional training, or proven experience in specific competencies is required.

2310.3 LEVEL 3—HAZMAT Technician

(1) HAZMAT Technicians are personnel who are responsible for AGGRESSIVE response to stop a release. Personnel requiring this level of training are expected to be at risk of exposure during a response.

(2) Requires 24 hours of level 2 training and additional competencies.

NOTE: This level is generally met by basic USCG Strike Team training protocol.

2310.4 LEVEL 4—HAZMAT Specialist

(1) HAZMAT Specialists are personnel who respond with and in support of HAZMAT technicians. However, HAZMAT specialists possess narrowly defined knowledge/competencies that are required by the circumstances of the specific incident i.e. EMTs.

(2) Requires 24 hours of level 3 training and additional competencies.

NOTE: Basic USCG Strike Team training protocol plus advanced training in the specialty area generally meets this level.

2310.5 LEVEL 5—On-Scene Coordinator

(1) This level is for personnel that may be called upon to assume supervisory responsibilities ON-SCENE.

(2) Requires 24 hours of level 2 training plus proven experience in additional competencies.

NOTE: For non-entry supervision, this level is generally met by USCG Strike Team qualification, plus OJT, and Response Officer (RO) or Response Supervisor (RS) designation.

2310.6 SPECIAL—Skilled support and specialists

(1) Skilled support personnel (29 CFR 1910.120(q)(4)) are those skilled in operations needed to perform special tasks that cannot be performed safely by regular emergency responders.

(a) EXAMPLE: Crane operators

(b) TRAINING: initial site briefing including protective equipment they will be using and hazards involved.

(2) Specialists (29 CFR 1910.120(q)(5)) are those personnel that will provide technical

- (a) Advice/assistance with regard to the specific hazards or operations.
- (a) EXAMPLE: Pesticide applicator.
- (b) TRAINING: Demonstrated competency in their area of specialty.

2320 General Requirements for EMERGENCY Response Operations

The regulations require initial training, management/supervisory training, and annual refresher training. NOTE: Emergency phase operations (such as off-loading product from damaged tanks) and post-emergency phase operations (such as beach cleanup work) may take place at the same time.

2320.1 Initial Training

There are two categories of initial training depending on the degree of exposure and amount of time spent on site.

2320.11 General Site Workers

General Site workers (e.g., general laborers or equipment operators) must have:

- (1) 40 hours off site
- (2) 24 hours supervised field experience, and
- (3) 8 hours annual refresher

2320.12 Minimal Hazard Workers

Routine site workers who work in areas that have been monitored and fully characterized such that exposures are within permissible limits or site employees who are on site only occasionally to accomplish for a specific limited task, and who are unlikely to be exposed over permissible exposure limits may be trained as follows:

- (1) 24 hours off site
- (2) 8 hours supervised field experience, and
- (3) 8 hours annual refresher training

2320.2 Management/Supervisory Training

Onsite managers and supervisors directly responsible for, or who supervise employees engaged in, hazardous waste operations should have the same initial training as the personnel they supervise. They then must receive at least another 8 hours of training in hazardous waste operations management:

- (1) 40 hours off site (may be reduced to 24 hours if all employees supervised are permitted to be trained at this level),
- (2) 24 hours supervised field experience (may be reduced to 8 hours if all employees supervised are permitted to be trained at this level) and
- (3) 8 hours of hazardous waste operations management

2320.3 Oil Spill Response Training

Training requirements for personnel working during post-emergency phase operations have been published by OSHA Compliance guideline CPL 2-2.51 (11/5/90) Inspection Guidelines for Post-Emergency Response Operations Under 29 CFR 1910.120).

- (1) Reduced training for these operations is considered a non-serious violation of the regulations (i.e., a “de minimus” violation).
- (2) In general 4 hours of training is adequate to a “de minimus” criteria depending on state requirements. However, adequate supervision by fully trained personnel must still be provided.
- (3) Continued training should be pursued to bring personnel trained to the “de minimus” level up to the appropriate level of qualification. Continued training lessons should include safety conscious operational training on subjects such as safe work practices for oily bird rehabilitation.

2330 Site Safety Plan

At a minimum the plan should include health and safety hazard analysis for each site, task or operation with a comprehensive operations work plan. This should address personnel training requirements, personal protective equipment selection criteria and confined space entry procedures. In addition, it should detail an air monitoring plan, site control measures, and the format for pre-entry and pre-operations briefings. Refer to Appendix 9310 Site Safety Plan for information necessary to develop a site safety plan and for an ICS compatible template.

2400 Information

The Information Officer (IO) is responsible for developing and releasing information about the incident to the news media, to incident personnel, and to other appropriate agencies and organizations. Only one IO will be assigned for each incident, including operating under Unified Command and multi-jurisdictional incidents. The IO may have assistants as necessary with the assistants representing assisting agencies and jurisdictions.

2410 General Rules for Media Interaction, Community Relations, and Internal Information

Case studies of major environmental disasters have shown that the success or failure of any spill response operation is judged in large part by the communities affected by the discharge or release. The judgment the affected communities make is based on the extent to which they perceive that their expectations (i.e., interests) are; 1) addressed by planning officials in response plans, and 2) reflected by the decisions made by the response organization during response operations. Therefore, the Area Committee (AC) must take every opportunity to meet with representatives from significant community groups. They must make every effort to align this plan and future operation decisions with clearly identified and understood community expectations to the maximum extent possible.

Substantive alignment with community expectations is clearly impossible if attempted solely through the media at the time of the incident and only with the public at large. The AC must meet with representatives from the marine and associated industries before and during response operations inevitably affect their access to navigable waters. Likewise, the AC must meet with watermen, volunteer organizations, and interest groups before and during response operations, to gather valuable information from them and to enlist their assistance as appropriate. Finally, members of the AC must meet face to face with civic leagues and community organizations and groups to open a direct dialogue with the general public and to hear their expectations first hand.

Prior to the occurrence of a pollution incident, the scenarios described in this plan could be used as a catalyst and focal point during discussions conducted with any of the community groups already mentioned. In turn, the insights provided by each group should be used to refine and improve the scenarios, making them a more meaningful tool for subsequent planners and responders. An iterative process of communication, clarification, refinement, and feedback will ensure even greater alignment with a myriad of community expectations and guarantee continuous improvement in the perceived and actual quality of this plan and response operations in this area.

The importance of aligning with the expectations of affected communities notwithstanding, supplying accurate information to the media in a timely fashion remains a critical component of pollution response, and is a primary function of the UC. Early and accurate news releases serve to minimize public apprehension and to enhance their faith in the response community's ability to deal with oil spills.

2420 Public Affairs Objectives

The following information deals with procedures the FOSC/Incident Command System will follow when dealing with the media during incidents in the Southeastern North Carolina Coastal Area.

- (1) Provide the general public with complete and timely information on progress of the casualty investigation, progress of the cleanup and impacts on the environment.
- (2) Provide impacted communities and special interest groups with full access to information affecting their lives and livelihoods.
- (3) Provide a means for these groups to provide input to the UC's decision process.
- (4) Through press releases and press conferences, emphasize the aggressive public/private team oriented nature of the response.
- (5) Assure public awareness of the special efforts to protect waterfowl, marine mammals and their habitats.
- (6) Assure that public information contributes to overall safety and security at the cleanup sites.

- (7) Assure the UC is aware of special impact considerations such as active fish harvests and associated public concerns in the impact zones.
- (8) Assure that the impacted public is aware of claims procedures.
- (9) Assure the FOIA request procedures are established early.
- (10) Accommodate senior managers' (Flag Officers, senior state officials, etc) roles as agency spokespersons.
- (11) Assure press releases from all participants are consistent with regard to both operational facts and planned actions.
- (12) Assure that well-informed front line spokespersons are available to the media for live interviews.
- (13) Assure that first hand viewing/filming opportunities are made available to all media fairly.
- (14) Assure proper planning for dignitary visits.
- (15) Assure proper timing and format for the UC's press conferences.

2430 Joint Information Center (JIC)

To ensure and accurate flow of information, a JIC will be established by the FOSC and the UC to serve as a single point of contact or pool of public affairs personnel for media relations. The JIC will be established concurrent with the activation of the Incident Command System.

Preferably, the initial location of the JIC will be at the New Hanover County EOC. However, alternate locations for the JIC can be considered as the situation matures. For instance, the JIC may remain at the EOC or relocate to a remote location close to the site of the discharge, the Responsible Party's command post (with the concurrence or at the request of the RP), or move to the Portsmouth offices of the Fifth Coast Guard District. Alternate JIC locations will be selected by the FOSC, the State IC/Local Representative, and the RP based on the evaluation of three criteria 1) safety of personnel, 2) access to accurate information and the scene, and 3) supportability (personnel, equipment, material, and logistics availability).

The FOSC has tasked the MSO Wilmington Public Affairs Officer (PAO) with the responsibility for initially establishing and managing the operation of the JIC. Representatives from organizations represented in the ICS will staff the JIC. The number of people needed to respond to inquiries will vary depending on the size of the incident and the media interest involved. The concept of JIC staffing is to start with the MSO Wilmington PAO. As the incident progresses, the initial staffing will be expanded in a modular fashion to include but not be limited to the; Fifth Coast Guard District PAO, Coast Guard Public Information Assist Team (PIAT), State/Local PAOs, and RP Public Affairs or Media Relations personnel or contractors. A modular expansion of the JIC allows for additional stakeholders to be integrated into the ICS/JIC as their interest and involvement in the pollution incident dictates. Regardless of the composition of the JIC staff, all official press releases will be jointly. This means that they will be concurrently routed to each member of the Unified Command for comment and/or approval. It is recommended that the JIC be in the same building as the Command Center, but in a room separate from other sections. PAOs need to be close to the UC and other section for effective communication flow, but not so close as to disturb response operations. Equipment needs for the JIC vary, dependent on the size and impact of the incident, media, and public interests levels. If possible, a separate "Press Room" should be established for reporter's use, at spills that attract a great deal of media interest. This room may be used by reporter covering the story, and would ideally be equipped with several phone lines and electrical outlets, and a couple of desks or tables and chairs. There should be a way to display maps, status boards, and other visual aids that could be used on camera, a table near the door for the latest news releases, fact sheets, and advisories. If there is room for seating and a podium with PA system, the pressroom is a good site for all formal news conferences. This allows TV news crews to set-up cameras in advance, and reporters to do stand-ups and cal-ins from an easy, central location.

2440 Media Contacts

The Fifth Coast Guard District Public Affairs Office is ready to assist the FOSC/Unified Command by providing Public Affairs Specialists for media liaison and photo documentation. The District office should be contacted (757-398-6275; after hours 757-398-6231) early as the primary resource for public affairs assistance. A Coast Guard Public Information Assist Team (PIAT) is also available to FOSCs when additional personnel or expertise are required to accommodate the media. PIAT is a specialized, self-contained, public affairs resource which is available through the National Response Center 800-424-8802, or the National Strike Force coordination Center at 919-331-6000, 919-331-6012 (FAX). All public affairs resources will work directly for the FOSC. In the event a JIC is established, the Responsible Party will be required to provide a spokesman to the JIC to facilitate "one stop shopping" for the media. Refer to Appendix [9200 Personnel and Services Directory](#) for additional information.

2500 Liaison

The Liaison Officer (LO) is the point of contact for personnel from assisting and cooperating agencies. The LO will proactively coordinate with state and local government officials, keeping them advised of the situation and anticipated actions and soliciting their concerns. Refer to Appendix [9200 Personnel and Services Directory](#) for a list of federal, state and local trustees, agency representatives and environmental, economic and political stakeholders.

2600 Reserved**2700 Reserved****2800 Reserved****2900 Reserved for Area/District**

